



Patent Application  
Attorney Docket No. A1649-US-NP  
(XERZ 2 00459)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE  
PATENTING REJECTION OVER PENDING APPLICATION(S)**

In re Application of: **Zhigang Fan**

Application No.: **10/040,693**

Group Art Unit: **2621**

Filed: **January 7, 2002**

Examiner: **Ishrat I Sherali**

For: **IMAGE TYPE CLASSIFICATION USING EDGE ORIENTATION FEATURES**

The owner, Xerox Corporation, of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application(s) Number(s) 09/965,922, filed on September 28, 2001.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patents granted on such application(s) are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

☒ The undersigned is an attorney or agent of record.

Date

5/24/05

Signature

**Mark S. Svat**

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP  
1100 Superior Avenue, Seventh Floor  
Cleveland, Ohio 44114-2579

**Mark S. Svat**

Typed or Printed Name

**34,261**

Registration No.

**Certificate of First Class Mailing**

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail service on May 24, 2004 and is addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Laurie A. Boylan

☒ Please charge \$130 to Deposit Account No. 24-0037 for the terminal disclaimer fee under 37 CFR 1.20(d).  
(An additional copy of this paper is enclosed.)

05/31/2005 EAREGAY1 00000036 10040693

01 FC:1806

180.00 DP